WEDNESDAY, APRIL 13, 1994

EIGHTY-SIXTH LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Ernest Blair, First Baptist Church, Baxter, TN.

Representative Buck led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present

33
Representatives present were: Allen, Anderson, Armstrong,
iola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd,
licott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole
er), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon,
r, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley,
teman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis,
key lackson Johnson Jones D (Shelhy) Joyee Kent Wieher

OΕ

Arr Cal (Dye Due Ha! Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the chair to Rep. DeBerry, Speaker pro tem.

RECOGNITION

Speaker Naifeh recognized Reps. Tindell and McKee presentation to Sheila Vonita Adkins Awhazi, designer of the General Assembly Flag.

MESSAGE FROM THE SENATE April 12, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate

Bill(s) No(s). 809, 1680, 1682, 1802, 1825, 1921, 1926, 2147, 2168, 2334, 2340, 2585, 2586, 2628, 2652, 2729, 2770 and 2850; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 12, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 518, 1897, 2404 and 2682; also, House Joint Resolution(s) No(s). 578, 581, 583, 585, 597, 598, 599, 601, 602, 603, 604, 605, 606, 607, 608 and 609; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 12, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 298, 429, 430, 431, 433, 434, 435, 436, 437 and 438; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Joint Resolution No. 0298 -- Memorials, Government Officials -- Urges local school systems to implement alternative school programs. by *Womack.

Senate Joint Resolution No. 0429 -- Memorials, Sports -- Friendship Christian School boys' basketball team, TSSAA Region 3-A runner-up. by *Rochelle.

Senate Joint Resolution No. 0430 -- Memorials, Personal Achievement -- Betsy Griffin, 1994 State 4-H Level II Leadership Winner. by *Springer.

Senate Joint Resolution No. 0431 -- Memorials, Professional Achievement -- WETB-AM Radio Station in Johnson City, 400th broadcast of "The Weekend Report". by *Crowe, *Kyle.

Senate Joint Resolution No. 0433 -- Memorials, Professional Achievement -- Ray and Pauline Cash, Cash Family Pottery. by *Crowe.

Senate Joint Resolution No. 0434 -- Memorials, Recognition and Thanks -- The Paty Company. by *Crowe.

*Senate Joint Resolution No. 0435 -- General Assembly, Adjournment, Recess -- Provides for adjournment sine die on April 14, 1994. by *Crutchfield, *Hamilton.

Senate Joint Resolution No. 0436 -- Memorials, Interns -- Pamela Ellen Baker. by *Holcomb.

Senate Joint Resolution No. 0437 -- Memorials, Sports -- 1993-1994 Summertown High School boys' basketball team, TSSAA Class A state tournament participant. by *Springer.

Senate Joint Resolution No. 0438 -- Memorials, Public Service -- Robin Mayberry. by *Springer.

MESSAGE FROM THE SENATE April 12, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 426, 932, 1786, 2154, 2165, 2390, 2412, 2495, 2498, 2583, 2776 and 2835; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 0426 -- County Officers -- Requires county appropriation for county officials association dues. Amends TCA 5-9-111. by *Crutchfield.

*Senate Bill No. 0932 -- Insurance, Health, Accident -- Removes disability insurance from definition of "casualty insurance"; adds accident and health insurance. Amends TCA, Title 56. by *Patten.

*Senate Bill No. 1786 -- Taxes, Sales -- Clarifies that individual items, regardless of cost, are excluded from sales tax, if items are incorporated into integrated system which costs exceed \$250 and used in production of agricultural products. Amends TCA 67-6-102. by *Womack.

Senate Bill No. 2154 -- Gas, Petroleum Products, Volatile Oils -- Repeals requirement to distribute Annual Report on the Quality of Kerosene and Motor Fuel in Tennessee. Repeals TCA 47-18-1310. by *Womack.

*Senate Bill No. 2165 -- Constitutional Conventions -- Calls constitutional convention concerning state and county officials, county boundaries and lotteries. by *Jordan, *Person, *Leatherwood, *Gilbert, *Rice, *Wright, *Holcomb.

*Senate Bill No. 2390 -- Bond Issues -- Exempts health and educational facility corporation bonds issued to refinance costs incurred by private school to operate hospital and training facilities for students from present two year repayment requirement. Amends TCA 48-3-301. by *Harper, *Davis.

Senate Bill No. 2412 -- Hamilton County -- Creates Divisions IV and V of general sessions court; provides for election of judges to serve such new divisions. Amends Chapter 6, Private Acts of 1941, as amended. by *Crutchfield, *Albright.

Senate Bill No. 2495 -- Safety -- Extends from 15 to 30 days time in which aggrieved party can appeal actions of boiler inspector; requires board of boiler rules to set license fees for

repairing or erecting steam boilers and steam generators. Amends TCA, Title 68, Ch. 122. by *Burks.

Senate Bill No. 2498 -- Children -- Expands implementation of department of youth development model programs for adolescents at risk of placement in custody of state. Amends TCA 4-3-2626. by *Cohen.

Senate Bill No. 2583 -- DUI/DWI Offenses -- Authorizes motor vehicles used in commission of DUI to be impounded for certain length of time. Amends TCA, Title 55, Ch. 10, Pt. 4. by *Harper, *Burks, *McNally, *Crowe, *Rice, *Wallace, *Holcomb.

Senate Bill No. 2776 -- State Prisoners -- Requires commissioner of correction to notify chief of police or sheriff when person convicted of homicide, rape or aggravated rape is furloughed or on work release. Amends TCA, Title 41, Ch. 21, Pt. 2. by *Hamilton.

Senate Bill No. 2835 -- Judicial Officers -- Relieves Shelby County criminal court clerk of duty to maintain handwritten indexes for criminal court books of minutes and dockets if such books and dockets referenced through computer automation. Amends TCA 18-1-105. by *Ford, *Kyle, *Person, *Leatherwood.

ENROLLED BILLS April 12, 1994

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2395.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK April 12, 1994

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 518, 1897, 2404 and 2682; also, House Joint Resolution(s) No(s). 578, 581, 583, 585, 597, 598, 599, 601, 602, 603, 604, 605, 606, 607, 608 and 609.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED April 12, 1994

The Speaker signed the following: House Bill(s) No(s). 2395.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE April 12, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2395; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK April 12, 1994

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 2395.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR April 12, 1994

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2876, with his approval.

DIANNE F. NEAL, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR April 12, 1994

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1768, 1876, 1959, 2238, 2364, 2532, 2544 and 2545; also, House Joint Resolution(s) No(s). 454, 552, 553, 555, 557, 559 and 563; with his approval.

DIANNE F. NEAL, Counsel to the Governor.

ENROLLED BILLS April 12, 1994

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1764, 2093, 2114, 2220, 2269, 2306, 2508, 2555, 2569, 2590, 2634, 2657, 2773 and 2842; also, House Joint Resolution(s) No(s). 399, 586, 587, 589, 590, 591, 611, 612, 613, 614, 615, 616, 643 and 644.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED April 12, 1994

The Speaker signed the following: House Bill(s) No(s). 1764, 2093, 2114, 2220, 2269, 2306, 2508, 2555, 2569, 2590, 2634, 2657,

2773 and 2842; also, House Joint Resolution(s) No(s). 399, 586, 587, 589, 590, 591, 611, 612, 613, 614, 615, 616, 643 and 644.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED April 12, 1994

The Speaker signed the following: Senate Bill(s) No(s). 809, 1680, 1682, 1802, 1825, 1921, 1926, 2141, 2168, 2334, 2340, 2585, 2586, 2628, 2652, 2729, 2770 and 2850.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

*House Joint Resolution No. 0657 -- Naming and Designating -- Ramp Festival, 1994. by *Davis Ronnie.

Finance, Ways and Means Committee.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Thursday, April 14, 1994:

House Resolution No. 0183 -- Memorials, Professional Achievement -- Gary Stansberry, New Tazewell Merchants Association's Oldest Merchant award. by *Williams Micheal.

House Resolution No. 0184 -- Memorials, Interns -- Sara Camille Huber. by *Davidson, *Winningham.

House Resolution No. 0185 -- Memorials, Interns -- Tonya Le'Nee Keys. by *Brooks, *Thompson, *Love, *West, *Miller, *Pruitt.

House Resolution No. 0186 -- Memorials, Interns -- Lorie Shari Mayberry. by *Brooks, *Thompson, *Love, *Jones R, *Dixon, *Miller, *Pruitt.

House Resolution No. 0187 -- Memorials, Personal Occasion -- Willie and Eddie Mae Effinger, 50th wedding anniversary. by *Dixon.

House Resolution No. 0188 -- Memorials, Interns -- Kevin McKeown Roedel. by *Naifeh.

House Resolution No. 0189 -- Memorials, Interns -- Pamela Sue Roddy. by *Naifeh.

House Resolution No. 0190 -- Memorials, Personal Occasion --

Tommy and Judy Young, birth of their firstborn, Hunter Rhea Young by *Kent.

House Resolution No. 0191 -- Memorials, Retirement -- Ray Maples. by *Kent.

House Resolution No. 0192 -- Memorials, Personal Occasion -- The Reverend and Mrs. Swann Bush, 50th wedding anniversary, by *William: Micheal.

House Resolution No. 0193 -- Memorials, Personal Occasion -- Mr and Mrs. Bruce Bryant, 33rd anniversary. by *Williams Micheal.

House Resolution No. 0194 -- Memorials, Personal Occasion - J.D. Estep, Mayor of Cumberland Gap, 92nd birthday. by *William Micheal.

House Resolution No. 0195 -- Memorials, Personal Occasion -- Mr and Mrs. Virgil Duncan, 50th anniversary. by *Williams Micheal.

House Resolution No. 0196 -- Memorials, Death -- George Blazer Parrotsville Mayor. by *Davis Ronnie.

House Resolution No. 0197 -- Memorials, Personal Occasion - Jesse and Ruth Rogers, 49th wedding anniversary. by *William Micheal.

House Resolution No. 0198 -- Memorials, Interns -- Mareka Mich Humphrey. by *Jones U, *Armstrong, *Miller.

House Resolution No. 0200 -- Memorials, Personal Occasion -- Mr and Mrs. Ray Gulley, 31st wedding anniversary. by *Williams Micheal

House Resolution No. 0201 -- Memorials, Professional Achievementals, Sprint Car Manufacturer of the Year. by *Herron.

House Resolution No. 0202 -- Memorials, Professional Achievemer -- Michael P. Ramirez, Pulitzer Prize for editorial cartooning. the *Hassell, *Joyce, *Shirley, *Haley, *Kent, *Williams K.

House Resolution No. 0204 -- Memorials, Interns -- Williams Pinkston. by *Bittle.

House Resolution No. 0205 -- Memorials, Interns -- Suzanna Lymonomon. by *Kent, *Hassell.

House Resolution No. 0206 -- Memorials, Interns -- William (Westerfield, by *Stulce.

House Joint Resolution No. 0668 -- Memorials, Recognition at Thanks -- Robert H. (Hank) Davis. by *Stamps.

House Joint Resolution No. 0670 -- Memorials, Interns Benjamin Jacob Macht. by *Robinson, *Napier, *Fowlkes.

House Joint Resolution No. 0671 -- Memorials, Retirement -- Mary Ruth Woodard. by *Rigsby.

House Joint Resolution No. 0672 -- Memorials, Recognition and Thanks -- Bill Butner. by *Crain, *DeBerry.

House Joint Resolution No. 0673 -- Memorials, Interns -- Joan A. Stewart. by *DeBerry.

House Joint Resolution No. 0674 -- Memorials, Sports -- Fairview Elementary School boys' basketball team. by *Winningham.

House Joint Resolution No. 0675 -- Memorials, Sports -- 1993-1994 Macon County High School girls' basketball team. by *Winningham.

House Joint Resolution No. 0676 -- Memorials, Sports -- Pickett County Junior High School girls' basketball team. by *Winningham.

House Joint Resolution No. 0678 -- Memorials, Personal Occasion -- Ray Newman, 50th birthday. by *Bittle.

House Joint Resolution No. 0679 -- Memorials, Recognition and Thanks -- Oak Elementary School. by *Byrd, *Joyce.

House Joint Resolution No. 0680 -- Memorials, Public Service -- David B. Gregory, Director of Legislative Affairs. by *Purcell.

House Joint Resolution No. 0681 -- Memorials, Interns -- Elmer P. Ray, III, Governor's Office. by *Purcell.

House Joint Resolution No. 0682 -- Memorials, Interns -- Joseph M. Grills, Governor's Office. by *Purcell.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resume the chair.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Wednesday, April 13, 1994:

Senate Joint Resolution No. 0429 -- Memorials, Sports -- Friendship Christian School boys' basketball team, TSSAA Region 3-A runner-up.

Senate Joint Resolution No. 0430 -- Memorials, Personal Achievement -- Betsy Griffin, 1994 State 4-H Level II Leadership Winner.

Senate Joint Resolution No. 0431 -- Memorials, Professional Achievement -- WETB-AM Radio Station in Johnson City, 400th broadcast of "The Weekend Report".

Senate Joint Resolution No. 0433 -- Memorials, Professional Achievement -- Ray and Pauline Cash, Cash Family Pottery.

Senate Joint Resolution No. 0434 $\operatorname{\mathsf{--}}$ Memorials, Recognition and Thanks $\operatorname{\mathsf{--}}$ The Paty Company.

Senate Joint Resolution No. 0436 -- Memorials, Interns -- Pamela Ellen Baker.

Senate Joint Resolution No. 0437 -- Memorials, Sports -- 1993-1994 Summertown High School boys' basketball team, TSSAA Class A state tournament participant.

Senate Joint Resolution No. 0438 -- Memorials, Public Service -- Robin Mayberry.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

*Senate Joint Resolution No. 0298 -- Memorials, Government Officials -- Urges local school systems to implement alternative school programs.

Finance, Ways and Means Committee.

*Senate Joint Resolution No. 0435 -- General Assembly, Adjournment, Recess -- Provides for adjournment sine die on April 14, 1994.

Held on Clerk's desk.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2923 -- Columbia -- Authorizes levy and collection of impact fees against new land development. by *Napier.

House Bill No. 2924 -- Decherd -- Revises city charter. Amends Chapter 318, Acts of 1901, as amended. by *Rigsby.

House Bill No. 2925 -- Baileyton -- Revises charter. Amends Chapter 200, Private Acts of 1915, as amended. by *Haun.

House Bill No. 2926 -- Lauderdale County -- Requires Lauderdale County general sessions judges receive same salary as general

sessions judges in counties of population class for which compensation of Lauderdale County officers determined. by *Crain.

House Bill No. 2928 -- Red Boiling Springs -- Allows officers or employees to continue in employment of city after becoming candidate for public office. Amends Chapter 120, Private Acts of 1953. by *Winningham.

House Bill No. 2930 -- Tipton County -- Creates office of environmental inspector. by *Naifeh.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 0426 -- County Officers -- Requires county appropriation for county officials association dues. Amends TCA 5-9-111. (*HB 0233).

*Senate Bill No. 0932 -- Insurance, Health, Accident -- Removes disability insurance from definition of "casualty insurance"; adds accident and health insurance. Amends TCA, Title 56. (HB 1231).

*Senate Bill No. 1786 -- Taxes, Sales -- Clarifies that individual items, regardless of cost, are excluded from sales tax, if items are incorporated into integrated system which costs exceed \$250 and used in production of agricultural products. Amends TCA 67-6-102. (HB 1734).

Senate Bill No. 2154 -- Gas, Petroleum Products, Volatile Oils -- Repeals requirement to distribute Annual Report on the Quality of Kerosene and Motor Fuel in Tennessee. Repeals TCA 47-18-1310. (*HB 1853).

*Senate Bill No. 2165 -- Constitutional Conventions -- Calls constitutional convention concerning state and county officials, county boundaries and lotteries. (HB 2737).

*Senate Bill No. 2390 -- Bond Issues -- Exempts health and educational facility corporation bonds issued to refinance costs incurred by private school to operate hospital and training facilities for students from present two year repayment requirement. Amends TCA 48-3-301. (HB 2107).

Senate Bill No. 2412 -- Hamilton County -- Creates Divisions IV and V of general sessions court; provides for election of judges to serve such new divisions. Amends Chapter 6, Private Acts of 1941, as amended. (HB 2045).

Senate Bill No. 2495 -- Safety -- Extends from 15 to 30 days time in which aggrieved party can appeal actions of boiler inspector; requires board of boiler rules to set license fees for

repairing or erecting steam boilers and steam generators. Amends TCA, Title 68, Ch. 122. (*HB 1800).

Senate Bill No. 2498 -- Children -- Expands implementation of department of youth development model programs for adolescents at risk of placement in custody of state. Amends TCA 4-3-2626. (*HB 2290).

Senate Bill No. 2583 -- DUI/DWI Offenses -- Authorizes motor vehicles used in commission of DUI to be impounded for certain length of time. Amends TCA, Title 55, Ch. 10, Pt. 4. (*HB 1743).

Senate Bill No. 2776 -- State Prisoners -- Requires commissioner of correction to notify chief of police or sheriff when person convicted of homicide, rape or aggravated rape is furloughed or on work release. Amends TCA, Title 41, Ch. 21, Pt. 2. (*HB 2648).

Senate Bill No. 2835 -- Judicial Officers -- Relieves Shelby County criminal court clerk of duty to maintain handwritten indexes for criminal court books of minutes and dockets if such books and dockets referenced through computer automation. Amends TCA 18-1-105. (*HB 2849).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or Held on the Clerk's desk as noted:

*House Bill No. 2886 -- Highways, Roads and Bridges -- State and Local Government Committee.

*House Bill No. 2898 -- Local Education Agency -- Education Committee.

*House Bill No. 2902 -- Boards and Commissions -- Finance, Ways and Means Committee.

House Bill No. 2904 -- Stone, Stone Products -- Finance, Ways and Means Committee.

House Bill No. 2919 -- Lebanon -- Held on Clerk's desk pending approval by local delegation.

*House Bill No. 2921 -- Public Works Projects -- Finance, Ways and Means Committee.

*House Bill No. 2927 -- Auctions and Auctioneers -- Finance, Ways and Means Committee.

*House Bill No. 2929 -- Education, Higher -- Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on Tuesday, April 11, 1994, reported the following:

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee for adoption: House Joint Resolution(s) No(s). 544. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on Tuesday, April 12, 1994, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for Wednesday, April 13, 1994: House Bill(s) No(s). 2581, 2444, 2616, 2285, 2303, 2680, 2546, 1734, 2648, 1231, 1035, 2812, 192, 1135 and 2431; also, House Joint Resolution(s) No(s). 561 and 562.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, April 13, 1994: House Bill(s) No(s). 2841, 2844, 2042 and 2827; also, House Joint Resolution(s) No(s). 592, 593, 594, 595 and 596; also, House Resolution(s) No(s). 167 and 139.

The Committee further reported that the following was considered but failed to pass: Senate Bill No. 1763.

AGRICULTURE

The Agriculture Committee recommended for concurrence: Senate Joint Resolution(s) No(s). 390. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 2525 with amendment(s); for adoption: House Joint Resolution(s) No(s). 647 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE. WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1815, 2092, 2452, 423, 2891, 2681, 2647 and 2541; House Bill(s) No(s). 2787 with amendment(s); for adoption:

House Resolution(s) No(s). 178; House Joint Resolution(s) No(s). 617, 580 and 633; House Joint Resolution(s) No(s). 506 with amendment(s); also, for concurrence: Senate Joint Resolution(s) No(s). 306 and 332. Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2834; House Bill(s) No(s). 2208, 2290, 1064 and 2161 with amendment(s); also, for concurrence: Senate Joint Resolution(s) No(s). 137. Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1137 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1223 with amendment(s). Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2756, 2722, 2849 and 2900; House Bill(s) No(s). 2920, 2729 and 2223 with amendment(s); for adoption: House Joint Resolution(s) No(s). 565; also, House Joint Resolution No. 520 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2335, 2370 and 2372; also, House Bill(s) No(s). 2177 and 2073 with amendment(s). Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for adoption: House Joint Resolution(s) No(s). 582, 638, 667 and 663; House Joint House Joint Resolution(s) No(s). 624 with amendment(s); also, concurrence: Senate Joint Resolution(s) No(s). 350 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: Senate Joint Resolution No. 137.

Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on Wednesday, April 13, 1994, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for Thursday, April 14, 1994: House Bill(s) No(s). 2463, 2613, 2661, 2064, 2459, 2117, 2465, 2299, 2485, 2116, 2521, 2791, 2765, 2471 and 2525; Senate Joint Resolution(s) No(s). 350; House Joint Resolution(s) No(s). 624, 427, 647 and 450.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, April 14, 1994: Senate Joint Resolution(s) No(s). 379; House Joint Resolution(s) No(s). 663, 638, 428 and 455.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s): 2604, 2633 and 2562 with amendment(s); for concurrence: Senate Joint Resolution No. 372. Under the rules, each was transmitted to the Calendar and Rules Committee.

REPORTS FORM SELECT COMMITTEES

The Special Joint Committee on the Affordability of Housing, created by Senate Joint Resolution No. 34 of 1993, has submitted its final report, which is on file in the Clerk's Office.

The Special Joint Committee on the roles of African Americans relative to inner city economic development, created by House Joint Resolution No. 20 of 1993, has submitted its final report, which is on file in Clerk's Office.

The Special Joint Committee on Earthquake Preparedness, created by House Resolution No. 16 of 1993, has submitted its report, which is on file in the Clerk's Office.

CONSENT CALENDAR

House Bill No. 2905 -- McKenzie -- Authorizes McKenzie High School District to borrow money against anticipated revenues. Amends Chapter 533, Private Acts of 1917, as amended.

House Bill No. 2906 -- White Pine -- Rewrites charter. Repeals Chapter 309, Private Acts of 1915, as amended.

On motion, House Bill No. 2906 was made to confirm with Senate Bill No. 2883; the Senate Bill was substituted for the House Bill.

House Bill No. 2907 -- Medon -- Revises charter. Repeals Chapter 360, Private Acts of 1915, as amended.

House Bill No. 2909 — Unicoi County — Authorizes county commission to adopt necessary regulations to ensure safety of persons transiting Nolichucky River for recreational purposes; deletes present safety standards and operating procedures and penalties for violations thereof. Amends Chapter 40, Private Acts of 1983.

House Bill No. 2915 -- Livingston -- Extends term of board of mayor and aldermen from two to four years. Amends Chapter 130, Acts of 1907, as amended.

House Bill No. 2916 -- Woodbury -- Revises city charter. Amends Chapter 633, Private Acts of 1925, as amended.

House Bill No. 2917 -- Woodbury -- Extends terms of board of mayor and aldermen. Amends Chapter 633, Private Acts of 1925, as amended.

House Bill No. 2918 -- Dayton -- Allows certain qualified persons living outside city limits to vote, under certain circumstances, based upon certain qualifications. Amends Chapter 267, Private Acts of 1953, as amended.

House Resolution No. 0179 -- Memorials, Professional Achievement -- Jackie Neely, New Tazewell Merchants Association's Oldest Merchant Award.

House Resolution No. 0180 -- Memorials, Interns -- Darell Carl Cook, II.

House Resolution No. 0181 -- Memorials, Retirement -- Sgt. Randolph K. Chapman.

House Resolution No. 0182 -- Memorials, Interns -- Lorraine Wade.

House Joint Resolution No. 0651 -- Memorials, Interns -- Tamara Lynn Tyler.

House Joint Resolution No. 0658 -- Memorials, Sports -- 1993-1994 Riverdale High School girls' basketball team, TSSAA Distinguished Scholastic Achievement Award.

House Joint Resolution No. 0659 -- Memorials, Interns -- Antonette Nishell Hornbeak.

House Joint Resolution No. 0660 -- Memorials, Interns -- Jerome Keith Kinnard.

House Joint Resolution No. 0661 -- Memorials, Public Service -- Louis Jennings.

House Joint Resolution No. 0662 -- Memorials, Congratulations -- City of Alcoa, 75th anniversary.

House Joint Resolution No. 0664 -- Memorials, Sports -- 1993-1994 Scott High School girls' basketball team.

House Joint Resolution No. 0665 -- Memorials, Death -- Agnes Thornton Bird.

House Joint Resolution No. 0656 -- Memorials, Retirement -- Elmer Ellsworth Turner, III.

House Joint Resolution No. 0655 -- Memorials, Public Service -- Connie Testamand, 1994 Tennessee Jaycee Outstanding Young Tennessean.

House Joint Resolution No. 0654 -- Memorials, Interns -- Jade Edward Graham.

Senate Joint Resolution No. 0429 -- Memorials, Sports -- Friendship Christian School boys' basketball team, TSSAA Region 3-A runner-up.

Senate Joint Resolution No. 0430 -- Memorials, Personal Achievement -- Betsy Griffin, 1994 State 4-H Level II Leadership Winner.

Senate Joint Resolution No. 0431 -- Memorials, Professional Achievement -- WETB-AM Radio Station in Johnson City, 400th broadcast of "The Weekend Report".

Senate Joint Resolution No. 0433 -- Memorials, Professional Achievement -- Ray and Pauline Cash, Cash Family Pottery.

Senate Joint Resolution No. 0434 -- Memorials, Recognition and Thanks -- The Paty Company

Senate Joint Resolution No. 0436 -- Memorials, Interns -- Pamela Ellen Baker.

Senate Joint Resolution No. 0437 -- Memorials, Sports -- 1993-1994 Summertown High School boys' basketball team, TSSAA Class A state tournament participant.

Senate Joint Resolution No. 0438 -- Memorials, Public Service -- Robin Mayberry.

*House Bill No. 2841 -- Safety -- Exempts Warren County from requirements that all building and fire prevention officials be certified. Amends TCA 68-120-113.

*House Bill No. 2844 -- Contractors -- Exempts Sequatchie County from the provisions of the Contractors Licensing Act of 1976. Amends TCA, Title 62, Ch. 6.

House Bill No. 2042 -- Taxes, Sales -- Provides that sale of combined boat/motor/trailer package shall be considered "single unit" for purposes of local option sales tax. Amends TCA, Title 67, Ch. 6, Pt. 7.

House Bill No. 2827 -- Motor Vehicles, Titling and Registration -- Creates 1996 Olympic license plates. Amends TCA, Title 55, Ch. 4, Pt. 2.

*House Joint Resolution No. 0592 -- General Assembly, Confirmation of Appointment -- Ernest Harper, State Racing Commission.

*House Joint Resolution No. 0593 -- General Assembly, Confirmation of Appointment -- Jimmy Lou Rye, State Racing Commission.

*House Joint Resolution No. 0594 -- General Assembly, Confirmation of Appointment -- Hal F. Lewis, State Racing Commission.

*House Joint Resolution No. 0595 -- General Assembly, Confirmation of Appointment -- Sam Harrison, State Racing Commission.

*House Joint Resolution No. 0596 -- General Assembly, Confirmation of Appointment -- Kenny W. Armstrong, State Racing Commission.

*House Resolution No. 0167 -- General Assembly, Confirmation of Appointment -- Michael S. Lacy, Tennessee Claims Commission.

*House Resolution No. 0139 -- Memorials, Government Officials -- Requests department of transportation to include Stinking Creek Road in Campbell County within state highway system.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2844; by Rep. Shirley.

House Bill No. 2827; by Rep. Fisher.

House Joint Resolution No. 592: by Rep. Bittle.

House Joint Resolution No. 593: by Rep. Bittle.

House Joint Resolution No. 594: by Rep. Bittle.

House Joint Resolution No. 595: by Rep. Bittle.

House Joint Resolution No. 596: by Rep. Bittle.

Under the rules, House Bills Nos. 2844 and 2847; House Joint Resolutions Nos. 592, 593, 594, 595 and 596 were placed at the foot of the calendar for Thursday, April 14, 1994.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.																99
																0
Noes.										•	•	٠	٠	-	•	U

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Wenable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2430 -- Election Laws -- Revises law concerning absentee voting; authorizes early voting. Amends TCA, Title 2, Chs. 2, 3, 5--7, 12, 19.

Further consideration of House Bill No. 2430, previously considered on March 30 and April 4, 1994, at which time it was reset to the Calendar for April 13, 1994.

On motion, House Bill No. 2430 was made to conform with **Senate Bill No. 2556**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 2556 be passed on third and final consideration.

Rep. Bittle moved that Senate Bill No. 2556 be reset to April 14, 1994.

Rep. Purcell moved that the reset motion be tabled, which motion prevailed by the following vote:

Ayes																
Noes																
Present	and	d	no	t	VC) t i	ind	١.								1

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Chumney, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt. Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, (Hamilton), Turner (Shelby), West, Tindell. Turner (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Byrd, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 40.

Representatives present and not voting were: Knight -- 1.

Rep. Ramsey moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved to adopt Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2556 by deleting in its entirety the first amendatory section of Section 2, Part 1.

AND FURTHER AMEND by deleting in its entirety the second amendatory section of Section 2, Part 1, and by substituting instead the following language:

Tennessee Code Annotated, Section 2-6-109(a), is amended by designating the language as new Section 2-6-102, and by adding the following language to be designated as subdivision (3):

AND FURTHER AMEND by deleting in their entirety the fifth, sixth, tenth and twelfth amendatory sections of Section 2, Part 1.

AND FURTHER AMEND by deleting from the eleventh amendatory section of Section 2, Part 1, which redesignated Section 2-6-109 (b)-(f) as a new Section 2-6-109, the directory and amendatory language which amended subsection (e).

AND FURTHER AMEND by deleting from the first amendatory section of Section 2, Part 2, the language "during the early voting period and" in subdivision (1), and the language "during the early voting period or" in subdivisions (4) and (8).

AND FURTHER AMEND by deleting from the second amendatory section of Section 2, Part 2, the language "and during the period established for early voting" in subsection (a)(2).

AND FURTHER AMEND by deleting the directory and amendatory language to subsection (e) from the second amendatory section of Section 2, Part 2.

AND FURTHER AMEND by deleting from the third amendatory section of Section 2, Part 2, the following language:

The newly designated Section 2-6-203 is amended by deleting the last sentence in its entirety.

AND FURTHER AMEND by deleting from the first amendatory section of Section 2, Part 3, the following language:

The newly designated Section 2-6-301 is amended by deleting subsection (c) and by relettering the subsequent subsection accordingly.

AND FURTHER AMEND by deleting from the fourth amendatory section of Section 2, Part 3, the directory and amendatory language which amended the newly designated Section 2-6-304(a)(1).

AND FURTHER AMEND by deleting the language of the sixth amendatory section of Section 2, Part 3, which amended the newly designated Section 2-6-306 by deleting and substituting different language in the section.

AND FURTHER AMEND by deleting the language of the seventh amendatory section of Section 2, Part 3, which deleted the language "absentee" from the newly designated Section 2-6-307 and substituted the language "early voting".

AND FURTHER AMEND by deleting in its entirety the directory and amendatory language of the eighth amendatory section of Section 2, Part 3.

AND FURTHER AMEND by deleting the language "early voting and" from the amendatory language of the ninth amendatory section of Section 2, Part 3, which amended the newly designated Section 2-6-308.

AND FURTHER AMEND by deleting in its entirety from the eleventh amendatory section of Section 2, Part 3, the language added at the end of subsection (a) of the newly designated Section 2-6-309.

AND FURTHER AMEND by deleting from the twelfth amendatory section of Section 2, Part 3, the language which deleted subsection (c) of the newly designated Section 2-6-310.

AND FURTHER AMEND by deleting Sections 7, 8 and 12 in their entirety.

Rep. Ramsey moved to amend as follows:

Amendment No. 1 to Amendment No. 2

AMEND Senate Bill No. 2556 by deleting all language in Amendment No. 2 and substituting instead the following:

by deleting Sections 1 through 8 and by substituting instead the following and by renumbering the subsequent sections accordingly:

SECTION 1. Tennessee Code Annotated, Section 2-6-102, is amended by deleting the section in its entirety and by substituting instead the following:

A registered voter in any of the following circumstances may vote absentee by mail in the procedures outlined in this chapter:

- (1) PERSONS OUTSIDE OF COUNTY. If the voter will be outside the county where the voter is registered on election day during all the hours the polls are open for any reason other than the fact that the voter will be imprisoned;
- (2) STUDENTS AND SPOUSES OUTSIDE OF COUNTY. If a voter is enrolled as a full-time student in an accredited college, university or similar accredited institution of learning in this state which is outside the county where the voter is registered. This provision also applies to the spouse of the student who resides with the student.
- (3)(A) PERMANENT ABSENTEE VOTING REGISTER. The county election commission shall establish a permanent absentee voting register for any person who is, because of sickness, hospitalization or physical disability unable to appear at either the commission office or at the person's polling place for the purpose of voting. To be eligible for placement on the register, a voter shall file a statement by the person's licensed physician with the county election commission stating, under the penalty of perjury, that in the physician's professional medical judgment, the patient (voter) is medically unable to appear at the polling place to vote and is medically unable

to go to the commission office. The voter shall file the physician's statement and the application not less than seven (7) days before the election. The registrar shall attach the physician's statement to the voter's permanent registration record. Without any further request, the registrar shall send to each person placed on the permanent absentee voting register an application for an absentee ballot for each election in which the person may vote;

- RESIDENTS OF CERTAIN INSTITUTIONS. case of individuals who are full-time the residents of any licensed nursing home, home for aged, or similar licensed institution providing relatively permanent domiciliary care, other than a penal institution, the county election commission of each county shall send one (1) absentee voting deputy registrar representing the majority party and one (1) absentee voting deputy registrar representing the minority party to the institution for the purpose of processing, assisting the voter who may be entitled to assistance under this chapter and attesting absentee ballot applications and ballots. absentee voting deputies shall attest the voter's If the person is located outside the county where the person is registered, upon receipt of the physician's statement and an application, the commission shall process the application and ballot under the provisions of Section 2-6-111:
- (4) JURORS. If an individual expects to be unable to appear at the polling place on election day because the person is serving as a juror for a federal or state court;
- (5) PERSONS OVER 65 PERSONS HOSPITALIZED, ILL OR DISABLED.
 - (A) A person sixty-five (65) years of age or older when the person requests to vote absentee;
 - (B) The person is a handicapped voter as defined in §2-3-109, and the voter's polling place is inaccessible;
 - (C) The person is hospitalized, ill, or physically disabled, and because of such condition, the person is unable to appear at the person's polling place on election day; or

- (D) The person is a caretaker of a hospitalized, ill, or disabled person.
- (6) CANDIDATES FOR OFFICE. Without stating any reason therefor, if the voter is a candidate for office in the election for which the voter seeks to cast an absentee ballot;
- (7) ELECTION OFFICIALS ELECTION COMMISSION MEMBERS OR EMPLOYEES. If the person is an election official or a member or employee of the election commission on election day.
- (8) OBSERVANCE OF A RELIGIOUS HOLIDAY. If the voter cannot appear at the polling place because of observance of a religious holiday.
- SECTION 2. Tennessee Code Annotated, Section 2-6-111, is amended by deleting the section in its entirety and by substituting instead the following:
 - (a)(1) A voter who desires to vote absentee shall request an absentee ballot not more than sixty (60) and not later than seven (7) days before the election:
 - (2) A voter who will be outside of the state on election day may complete an application to vote absentee at the voter's county election commission office;
 - (3) A voter may also request from the county election commission office an application to vote absentee. A voter may make the request or submit an application to vote by mail or facsimile machine. For a voter to use a facsimile transmission, an election commission shall have a facsimile machine physically located in the election commission office. The request shall be in writing over the voter's signature. The request serves as an application for a ballot if the request contains the following information:
 - (A) The name of the registered voter;
 - (B) The address of the voter's residence;
 - (C) The voter's social security number;
 - (D) The address to mail the ballot outside the county;
 - (E) The election the voter wishes to participate in; and the reason the voter wishes to vote absentee.

- (4) This subsection does not and may not be construed to require a county election commission to purchase or obtain a facsimile machine.
- (b) Upon receipt of a written request, the registrar shall compare the signature of the voter with the signature on the voter's registration record in whatever form. If the signatures are the same and if the required information is provided, the registrar shall mail the voter a ballot in accordance with subsection (d). If the signatures are not the same, the registrar shall reject the application or request. If the required information is not provided, the registrar shall send the voter by mail or facsimile an application for a ballot.
- (c)(1) The coordinator of elections shall either supply to a county election commission the forms for applications for ballots or approve the usage of a county's forms.
- (2) The election commission shall furnish only one (1) application for absentee voting or one (1) set of absentee voting supplies to any voter unless the voter notifies the commission that the voter has spoiled the application or notifies the commission that the voter has not received the application or voting supplies. If so, the commission shall supply the voter with a subsequent application or supplies. The commission shall note on the records that a subsequent application or supplies have been sent.
- (3) A person who is not an employee of an election commission commits a Class E felony if such person gives an application for an absentee ballot to any person.
- (4) Unless otherwise required by federal law, the county election commission shall retain a spoiled application for a ballot for six (6) months.
- (d)(1) Upon receipt of a completed application, the registrar shall verify the signature of the voter by comparing it with the signature on the voter's registration record in whatever form. If the registrar determines that the voter may vote absentee, the registrar shall record the ballot number on the voter's application to vote and mail the voter the following:

(A) Instructions;

(B) One (1) absentee ballot or one (1) primary absentee ballot, or both;

- (C) One (1) absentee ballot envelope for each election in which the voter will vote; and
- (D) A larger envelope, unsealed, which shall bear upon its face the name and address of the county election commission to which the voter shall mail the completed materials.
- (2) A registrar may not mail any of the materials with the address "general delivery".
- (3) A registrar may not process an application for a ballot received after the fifth day before an election.
- (e) After receiving the absentee voting supplies and completing the ballot, the voter shall sign the appropriate affidavit under penalty of perjury. The effect of the signature is to verify the information as true and correct and that the voter is eligible to vote in the election. The voter shall then mail the ballot.
- (f) The election commission shall furnish only one (1) set of absentee voting supplies to any voter unless the voter notifies the commission that the voter has spoiled the supplies or notifies the commission that the voter has not received the supplies. If so, the commission shall supply the voter with a subsequent set of supplies. The commission shall note on the records that subsequent supplies have been sent. Unless otherwise required by federal law, the county election commission shall retain a spoiled ballot for six (6) months.
- (g) Upon receipt by mail of the absentee ballot, the registrar shall open only the outer envelope and compare the voter's signature on the affidavit with the voter's signature on the appropriate registration record. Upon determining that the voter is entitled to vote, the registrar shall note on the voter's absentee ballot envelope that the voter's signature has been verified. This signature verification is the final verification necessary before the counting board counts the ballots. The registrar shall also record that the voter has voted absentee in the election and in every case, including those counties in which computerized duplicate registration records are used, shall record the voter's name on the absentee poll book for each election in which the voter voted. In counties in which computerized duplicate registration records are used, the registrar shall update the voter's computerized voter history by making the appropriate data entry. The registrar shall then immediately deposit the absentee ballot

envelope in the general election absentee ballot box or in the party's primary absentee ballot box as the case may be.

- SECTION 3. Tennessee Code Annotated, Section 2-6-117(a), is amended by deleting subdivision (1) and by substituting instead the following:
 - (1) At four o'clock p.m. (4:00 p.m.) prevailing time, or at such earlier time after the polls open as the county election commission may direct, on election day, the county election commission shall deliver the locked and sealed absentee ballot boxes and their keys to the counting board in the commission office.
- SECTION 4. Tennessee Code Annotated, Section 2-6-118(a)(1), is amended by deleting from the first sentence the language "or, where applicable" and by substituting instead the language "and".
- Section 2-6-118(c), is amended by deleting from the first sentence the language "by precincts".
- Section 2-6-118(e), is amended by deleting from the first sentence the language "by precincts".
- Section 2-6-118(e), is further amended by adding the following language at the end of the subsection:
 - If a county election commission authorizes the use of a mechanical or electronic voting machine for absentee voting, the commission shall follow the process required by \$2-7-130 to record the vote totals.
- SECTION 5. Tennessee Code Annotated, Section 2-6-119, is amended by adding the following language:

Provided, however, a poll watcher may not leave and reenter the absentee ballot counting after the challenge process has been completed and the counting board begins to count the votes without the permission of the registrar or the registrar's designee.

SECTION 6. Tennessee Code Annotated, Section 2-6-127(c)(1), is amended by deleting the first sentence and by substituting instead the following:

In addition to the locks required in subsection (b), the county election commission shall place two (2) numbered seals on each ballot box at the beginning of absentee voting with one (1) seal placed by a county election commissioner of each party.

Tennessee Code Annotated, Section 2-6-127(c), is further amended by deleting subdivision (2) in its entirety.

SECTION 7. Tennessee Code Annotated, Section 2-6-128, is amended by deleting the last sentence and by substituting instead the following:

With the approval of the coordinator of elections, a county election commission may use its own computer-generated forms.

SECTION 8. Tennessee Code Annotated, Section 2-6-129, is amended in subsection (a) by inserting between the words "hospitalized" and "within" the words "in their county of residence".

Subsection (c)(1) is amended by deleting the language "death of a spouse, parent or child of a voter" and by substituting instead the language "death of a relative of a voter".

SECTION 9. Tennessee Code Annotated, Section 2-6-112, is amended by deleting from the first sentence of subsection (a) the language "anywhere" and by substituting instead the language "anywhere outside the county where the voter is registered".

Section 2-6-112(b), is amended by deleting the third sentence and by substituting instead the following:

The county election commission shall accept the federal postcard application, as provided for in the "Uniformed and Overseas Citizens Absentee Voting Act, Public Law 99-410", 42 U.S.C. 1973ff et seq. for temporary registration and for an absentee ballot.

Section 2-6-112 is further amended by adding the following new subsection:

A United States citizen who was born abroad and who is eligible to vote and who has never lived in the United States may register temporarily and vote in the county where a parent would be eligible to temporarily register and vote pursuant to this section.

SECTION 10. Tennessee Code Annotated, Section 2-6-130, is amended by deleting the present language and substituting instead the following:

- (a) Not later than forty-five (45) days before an election, the registrar shall mail a ballot to each member of the armed forces and each citizen temporarily outside the United States who is entitled to vote and who has submitted a valid application for a ballot. The ballot shall be in one of the following forms:
 - (1) An official absentee ballot that

complies with the requirements of Chapter 5, Part 2, and this chapter; or

- (2) A write-in ballot that is substantially identical to an absentee ballot described in subdivision (1), except that no candidates' names shall be listed anywhere on the ballot. In addition to this write-in ballot, the registrar shall include a complete list of all candidates who have qualified for the offices listed on the write-in ballot.
- (b) Compliance with the time requirements of subsection (a) is not required for a municipal election, special election, or an election on a question if the appropriate qualifying or filing deadline does not reasonably allow compliance. In such event, the registrar shall mail a ballot not later than thirty (30) days before the election.

AND FURTHER AMEND by deleting Section 12 in its entirety.

Rep. Purcell moved that Amendment No. 1 to Amendment No. 2 be tabled, which motion prevailed by the following vote:

Present	ar	nd	no	١t	V	ot i	ng	j .								2
Noes																39
Ayes																57

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 39.

Representatives present and not voting were: Byrd, Knight -- 2.

Rep. Purcell moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes																				58 38
Noes								•	٠	•	-	٠	•	•	•	•	٠	٠	•	_
Present	and	no t	V	οt	inç	} .				•	٠	•	٠	•	٠	٠	٠	٠	•	2

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Chumney, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh — 58.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Stulce, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --38.

Representatives present and not voting were: Byrd, Ritchie -- 2.

Rep. Gunnels moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section . The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than	nor more than
31,100	31,400
30,500	30,800

Rep. Purcell moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes											-					•				•		59 36
None										-				٠	•	•	•	•	•	٠	•	50
Present	and	n	o t	V) t	inç	} .	٠		•	٠	٠	٠	٠	٠		٠	٠	•	•	•	

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love,

Miller, Mires, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 36.

Representatives present and not voting were: Byrd, Moore -- 2.

Rep. Allen moved to adopt Amendment No. 4 as follows:

Amendment No. 4

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____. The provisions of this act shall not apply in any county having a population of not less than 92,200 nor more than 92,500 according to the 1990 federal census or any subsequent federal census.

Rep. Purcell moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Present	ŧ	ar	ıd	no) t	V	ot i	ing	1.										3
Noes.																			
Ayes.														٠	-	٠	•		58

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kernell, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Union), Wood -- 34.

Representatives present and not voting were: Byrd, Knight, Ritchie -- 3.

Rep. Williams (Union) moved to adopt Amendment No. 5 as follows:

Amendment No. 5

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than	nor more than
26,100	26,400
7,000	17,200
3,680	13,750

Rep. Purcell moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Present	a	nd	no	o t	V) t i	ing	١.								3
Noes																36
Ayes																59

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 36.

Representatives present and not voting were: Byrd, Knight, Ritchie -- 3.

Rep. Severance moved to adopt Amendment No. 6 as follows:

Amendment No. 6

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ___. The provisions of this act shall not

apply in any county having a population of not less than 335,000 nor more than 336,000 according to the 1990 federal census or any subsequent federal census.

Rep. Ridgeway moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Present	an	đ	no	o t	V	o t i	inc	١.								2
Noes																37
Ayes																60

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Representatives present and not voting were: Byrd, Knight -- 2.

Rep. Venable moved to adopt Amendment No. 7 as follows:

Amendment No. 7

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____. The provisions of this act shall not apply in any county having a population of not less than $\underline{140,000}$ nor more than $\underline{145,000}$ according to the 1990 federal census or any subsequent federal census.

Rep. Ridgeway moved that Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes.																	59
Noes.											,						34
Presen	t	ar	ıd	no	t	VC) t i	ing	1.				-				2

Representatives voting aye were: Armstrong, Arriola, Bell,

Bragg, Brooks, Brown, Buck, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 34.

Representatives present and not voting were: Byrd, Ritchie $\mathbin{\hspace{1pt}\text{--}\hspace{1pt}}$ 2.

MOTION TO ADJOURN

Ayes.		٠													35
Noes.	•		٠		•		٠								64

Representatives voting aye were: Allen, Anderson, Bittle, Boyer, Callicott, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 35.

Representatives voting no were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Knight, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 64.

REGULAR CALENDAR, CONTINUED

Rep. Crain moved that Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Purcell moved that Amendment No. 9 be withdrawn, which motion prevailed.

Rep. Ramsey moved to substitute Amendment No. 18 for Amendment No. 10, which motion prevailed. Amendment No. 10 was withdrawn.

Rep. Ramsey moved to adopt Amendment No. 18 as follows:

Amendment No. 18

Amend Senate Bill No. 2556 by deleting from Part 3 on page 10 of the printed bill the paragraph which reads as follows:

The newly designated Section 2-6-301 is amended by deleting subsection (c) and by relettering the subsequent subsection accordingly.

and by substituting instead the following language:

The newly designated Section 2-6-301, is amended by deleting subsection (c) in its entirety and by substituting instead the following language:

(c) For each election the county election commission shall publish in a newspaper of general circulation, on the fourth day before election day or as near thereto before election day as possible, a complete, alphabetically arranged list by precinct of all persons who voted absentee by mail by such date. The heading of such list shall be printed in twelve (12) point type. The names on the list shall be printed in six (6) point type with seven (7) point leading between the lines. Provided, however, in any county in which the votomatic punch card system is used and in which no daily or weekly newspaper of general circulation is published, the county election commission shall post daily on the courthouse bulletin board such list of persons who voted absentee by mail. The commission may make such daily postings prior to the publication date of a newspaper published weekly, if it wishes to do so. Such lists shall also be provided upon request for a reasonable copying charge.

Rep. Rhinehart moved that Amendment No. 18 be tabled, which motion he then withdrew.

Rep. Purcell moved that Amendment No. 18 be tabled, which motion prevailed by the following vote:

Ayes.																							53
Noes.											•	•	•	•	•	٠	•	٠	٠	•	•	•	42
Preser	١ŧ	ar	١d	no	t	VC) t i	ng	١.					•		٠	٠	•	•	•	٠	•	2

Representatives voting aye were: Armstrong, Arriola, Bell, Brooks, Brown, Buck, Byrd, Chiles, Clark, Cole (Dyer), Collier, Crain, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Givens,

Hargrove, Head, Herron, Hillis, Jackson, Jones R (Shelby), Jones U (Shelby), Kernell, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Phelan, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Winningham, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chumney, Coffey, Cole (Carter), Cross, Davidson, Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Pruitt, Ramsey, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Wix, Wood -~ 42.

Representatives present and not voting were: Bragg, Ritchie -- 2.

Rep. Liles moved to adopt Amendment No. 11 as follows:

Amendment No. 11

Amend Senate Bill No. 2556 by deleting from the effective date section the word, figures and symbol "June 1, 1994' and by substituting instead "June 1, 1995".

Ayes.		٠														59
Noes.	٠	•	٠	٠	٠	٠		٠	•							37

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Johnson, Jones R (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Ayes.													57
Noes.													37

Representatives voting aye were: Armstrong, Arriola, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Kernell, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Rep. Buck moved that Amendment No. 12 be withdrawn, which motion prevailed.

MOTION TO ADJOURN

Rep. Liles moved to adjourn to $12:00~\rm p.m.$, Thursday, April 14, 1994, which motion failed by the following vote:

Ayes.													٠	34
Noes.							•				•	•	•	60

Representatives voting aye were: Allen, Anderson, Bittle, Boyer, Coffey, Cole (Carter), Davis, DeBerry, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Shirley, Stamps, Stockburger, Venable, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 34.

Representatives voting no were: Armstrong, Arriola, Bell, Bragg, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jones R (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 60.

REGULAR CALENDAR, CONTINUED

Rep. Haun moved to place Amendment No. 13 behind Amendment No.

17, which motion prevailed.

Rep. Haun moved that Amendment No. 14 be withdrawn, which motion prevailed.

Rep. Haun moved to adopt Amendment No. 15 as follows:

Amendment No. 15

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____. The provisions of this act shall not apply in any county having a population of not less than $\underline{55,700}$ nor more than $\underline{56,000}$ according to the 1990 federal census or any subsequent federal census.

Rep. Ridgeway moved that Amendment No. 15 be tabled, which motion prevailed by the following vote:

Present	an	ıđ	no	t	VC	ot i	no	١.								1
Noes																37
Ayes																

Representatives voting aye were: Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Representatives present and not voting were: Ritchie -- 1.

Ayes.													58
Noes.													38

Representatives voting aye were: Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Cole (Dyer), Collier, Crain, Cross,

Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Jones R (Shelby), Joyce, Kent, Knight, Lifes, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 38.

Rep. Meyers moved to adopt Amendment No. 16 as follows:

Amendment No. 16

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section . Notwithstanding any other provision of this act to the contrary, the provisions of this act shall apply only in a county if the county election commission of such county elects to make this act applicable in such county.

Noes Present												
Ayes												217

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Representatives present and not voting were: Ritchie -- 1.

Rep. Haun moved to adopt Amendment No. 17 as follows:

Amendment No. 17

AMEND Senate Bill No. 2556 by deleting the words "early voting" wherever they appear.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Notwithstanding any provision of law to the contrary, August general elections shall hereafter be conducted on the first Sunday immediately following the first Thursday in August in even-numbered years; and November general elections shall hereafter be conducted on the first Sunday immediately following the second Tuesday in even-numbered years.

Rep. Purcell moved that Amendment No. 17 be tabled. Rep. Haun then withdrew Amendment No. 17.

Rep. Williams (Shelby) moved that **Senate Bill No. 2556** be re-referred to the Calendar and Rules Committee.

Rep. Purcell moved the motion to re-refer be tabled, which motion prevailed by the following vote:

Ayes.	•												6	80
Noes.													-	27

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh — 60.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Ayes.													59
Noes.													33

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh — 59.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Davis, Duer, Gunnels, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 33.

Rep. Haun moved to substitute Amendment No. 24 for Amendment No. 13, which motion prevailed. Amendment No. 13 was withdrawn.

Rep. Haun moved to adopt Amendment No. 24 as follows:

Amendment No. 24

Amend Senate Bill No. 2556 by deleting in its entirety the amendatory language of the sixth amendatory section of Section 2, Part 3, and by substituting instead the following language:

The newly designated Section 2-6-306, is amended by deleting subsection (b) in its entirety.

Ayes																	•			58
Noes.									•			-	•		•	•		٠	٠	37
Present	ar	h	no	٥t	V	οt	inç] .						•	•	٠	٠	•	٠	1

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kernell, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Kisber,

Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Representatives present and not voting were: Ritchie -- 1.

Rep. Wood moved that Senate Bill No. 2556 be reset to the Calendar for Thursday, April 14, 1994.

Rep. Purcell moved that the motion to reset be tabled, which motion prevailed by the following vote:

Ayes													_				60
Noes																	37
Present	ar	ηd	nc	t	V	o t	ing	١.									1

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott. Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --37.

Representatives present and not voting were: Turner (Hamilton)

Ayes.													61
Noes.	٠												35

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh — 61.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 35.

Rep. Whitson moved that Amendment No. 19 be withdrawn, which motion prevailed.

Amendment No. 20, by Rep. Ramsey, was ruled out of order by $\,$ Mr. Speaker Naifeh as the same as Amendment No. 18 .

Rep. Bittle moved to adopt Amendment No. 21 as follows:

Amendment No. 21

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section Notwithstanding the provisions of this or any other law to the contrary, the provisions of this act shall not be construed or implemented in any manner which results in increased costs to state or local government.

Rep. Purcell moved that Amendment No. 21 be tabled, which motion prevailed by the following vote:

Ayes																•		٠		•	•	51
Nana											•	•	•	•	•	•	•	•	-			4
Present	and	no	t	V	o t	in	3 .	٠	٠	٠	٠	٠	٠	•	•	•	•	•	•	٠	•	,

Representatives voting aye were: Armstrong, Bell, Bragg, Brooks, Brown, Buck, Byrd, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Lewis, Love, Miller, Mires, Moore, Jones U (Shelby), Kernell, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Napier, Odom, Owenby, Rigsby, Rinks, Robinson, Stulce, Thompson, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Kisber, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Severance, Whitson, Williams (Shelby), Williams (Union), Wood -- 37.

Representatives present and not voting were: Ritchie -- 1.

Rep. Gunnels moved to adopt Amendment No. 22 as follows:

Amendment No. 22

Amend Senate Bill No. 2556 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____. Every citizen of this state eighteen (18) years of age or older shall be required to vote in every election.

Rep. Purcell moved that Amendment No. 22 be tabled, which motion prevailed by the following vote:

Present	aı	าต	ne) t	V	ot i	inç	3.											2
Noes.	•	:	٠	:	٠	•		٠	٠	٠	•	٠	•				-		34
Ayes				•															61

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh — 61.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 34.

Representatives present and not voting were: Joyce, Knight -2.

Rep. Meyer moved that Amendment No. 23 be withdrawn, which motion prevailed.

Ayes.													63
Noes.													32

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Lewis, Love,

Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 63.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Haley, Halteman Harwell, Hassell, Haun, Joyce, Kent, Knight, Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Ramsey, Shirley, Stamps, Stockburger, Venable, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 32.

Rep. Purcell moved that Senate Bill No. 2556 be passed on third and final consideration.

Rep. Johnson moved the previous question, which motion failed by the following vote:

Ayes.													60
Noes.													35

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Joyce, Kent, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 35.

Rep. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes.													58
Noes.						• .							35

Representatives voting aye were: Armstrong, Arriola, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 35.

REQUEST FOR LIMITED DEBATE on Senate Bill No. 2556

Pursuant to Rule No. 36, the following members requested the Calendar and Rules Committee to meet and set a limit of debate on Senate Bill No. 2556: Representatives Rhinehart, Hillis, Bragg, West, Head, Thompson, Arriola and Hargrove. The Committee was directed by the Speaker to set a time at which the vote on the bill would be taken.

MOTION TO RECESS

On motion of Mr. Speaker Naifeh, the House recessed for 10 minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr . Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

REPORT FROM CALENDAR AND RULES COMMITTEE

Rep. Phillips reported that the Calendar and Rules Committee had met and set the following time limit for debate on Senate Bill No. 2556:

24 minutes for debate by the members, 3 minutes each; 3 additional minutes for the sponsors; for a total of 27 minutes; and the vote on Senate Bill No. 2556 will be taken at 5:00 p.m.

REGULAR CALENDAR, CONTINUED

*Senate Bill No. 2556 -- Election Laws -- Revises law concerning absentee voting; authorizes early voting. Amends TCA, Title 2, Chs. 2, 3, 5--7, 12, 19.

Rep. Haun requested that all members voting aye be added as sponsors to Senate Bill No. 2556, which request was ruled out of order by Mr. Speaker Naifeh.

Rep. Purcell moved that Senate Bill No. 2556 be passed on third

and final consideration, which motion prevailed by the following vote:

Ayes.													60
Noes.													

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Moore, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Huskey, Joyce, Kent, Knight, Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Williams (Shelby), Williams (Union), Wood -- 36.

A motion to reconsider was tabled.

House Bill No. 2431 -- Election Laws -- Revises law concerning voter registration. Amends TCA, Title 2, Ch. 2.

On motion, House Bill No. 2431 was made to conform with Senate Bill No. 2557; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that Senate Bill No. 2557 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2557 by deleting the effective date section and by substituting instead the following:

SECTION 34. Tennessee Code Annotated, Title 2, Chapter 2, is amended by adding Sections 35 through 40 and Section 42 of this act as a new, appropriately numbered part.

SECTION 35. In addition to any other voter registration procedure provided for by law, the department of safety and each county election commission shall provide for voter registration procedures as follows:

(a) The department of safety shall include a

voter registration application as part of any motor vehicle driver's license application or photo identification license used in Tennessee. Except as provided in subsection (b)(2), an individual who completes the application and is otherwise eligible shall be registered to vote in accordance with the information supplied by the individual.

- (b) The voter registration section of the application:
 - (1) May require a second signature or other information that duplicates, or is in addition to, information in the license section of the application only if the duplicate or additional information is necessary for prevention of multiple registration of the same individual, for determination of eligibility to vote, or for administration of voter registration or other aspects of the election process;
 - (2) Shall include a box or other device to permit an applicant for a motor vehicle driver's license or photo identification license to decline to register to vote;
 - (3) Shall include a statement that specifies each eligibility requirement for voting, contains an attestation that the applicant meets each such requirement, including citizenship, and requires the signature of the applicant, under penalty of perjury;
 - (4) Shall be made available by the department of safety to the appropriate county election commission office; and
 - (5) Shall be processed as a voter registration-by-mail form, in accordance with Tennessee Code Annotated, Section 2-2-115.
- (c) No information relating to a declination under subsection (b)(2) may be used for other than official election-related purposes.
- (d) Any motor vehicle driver's license or photo identification license form used for change of residence address shall also serve as a notification of change of residence address for voter registration.
- (e) The motor vehicle driver's license or photo identification license application and change of address forms used in this state shall be subject to approval by the secretary of state for purposes of voter registration under this section.

- (f) A completed voter registration or change of address of voter registration accepted at a motor vehicle office shall be transmitted to the appropriate county election office not later than ten (10) days after the date of acceptance. Provided, however, if the document is accepted within five (5) days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate county election commission office not later than five (5) days after the date of acceptance.
- SECTION 36. In addition to any other voter registration procedure provided by law and Section 35 of this act:
 - (a) all offices in the state that provide public assistance, or related services; and
 - (b) all offices in the state that provide state-funded programs primarily engaged in providing services to persons with disabilities; and
 - (c) public libraries, offices of county clerks and offices of county registers of deeds; shall serve as voter registration agencies. Those agencies designated under subsection (b) of this section that provide services to a person with a disability at the person's home, the agency shall provide the voter registration services at the person's home.
- SECTION 37. A person who provides service described in Section 36 of this act shall not:
 - (a) seek to influence an applicant's political preference or party registration;
 - (b) display any such political preference or party allegiance; or
 - (c) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote.
- SECTION 38. A voter registration agency that is an office described in section 36 (a) and (b) of this act shall:
 - (a) distribute with each application for such service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance, the voter registration-by-mail application form described in Tennessee Code Annotated, Section 2-2-115, unless the applicant, in writing, declines to register to vote; and

later than ten (10) days after the date of acceptance. Provided, however, if the document is accepted within five (5) days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate county election commission office not later than five (5) days after the date of acceptance.

SECTION 40.(a) The form by which a person may decline to register to vote that is required by Section 38(b) shall include the following:

- (1) The question: "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";
- (2) If the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";
- (3) Boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote together with the statement "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";
- (4) The statement. "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."; and
- (5) The statement, "If you believe that someone has interfered with your right to register or to decline to register to vote or your right to privacy in deciding whether to register or in applying to register to vote, you may file a complaint with the coordinator of elections." The statement shall also include the address and telephone number of the coordinator of elections.
- (b) Each voter registration agency shall maintain the declinations completed by their clientele.

SECTION 41. Tennessee Code Annotated, Section 2-2-106, is amended by deleting the section in its entirety and substituting instead the following:

- (a) The registration of a person shall be purged:
 - (1) At the request of the voter;
 - (2) Ninety (90) days after a change of name

for any reason, except by marriage;

- (3) If the voter dies;
- (4) Upon receiving information that a person has been convicted of an infamous crime as defined by §40-20-112 from the state coordinator of elections, the district attorney general, U. S. attorney, clerk of the court that entered the conviction, or other source upon verification by the clerk of the convicting court;
- (5) Upon written confirmation from the voter that the voter has changed the voter's address to an address outside the county of registration or has registered to vote in another jurisdiction; or
- (6) Under §2-2-132 if the voter does not vote for four (4) successive calendar years, excluding the year of registration unless during that time the voter has maintained an active registration record by transferring or correcting the voter's registration.
- (b) It is the responsibility of the county election commission to implement an address verification program to identify any voter who has changed the voter's residence address without notifying the election commission. This address verification program shall conform with the intent of this act and the National Voter Registration Act of 1993. The county election commission shall complete the address verification process at least on a biennial basis, but may do so annually. The county election commission shall complete any such process not later than ninety (90) days before the regular August election.
- (c) If as a result of the address verification program, the county election commission determines that a voter has changed the voter's residence address, the registrar shall mail a forwardable, first-class confirmation notice to the registrant at the address of registration with a postage prepaid, pre-addressed return form on which the voter may verify or correct the new address information. The county election commission shall also follow this process if indications exist that the voter may no longer reside at the address at which the voter is registered, such as the voter's failure to vote, or otherwise update the voter's registration over a period of two (2) consecutive regular November elections.

for any reason, except by marriage;

- (3) If the voter dies;
- (4) Upon receiving information that a person has been convicted of an infamous crime as defined by §40-20-112 from the state coordinator of elections, the district attorney general, U. S. attorney, clerk of the court that entered the conviction, or other source upon verification by the clerk of the convicting court;
- (5) Upon written confirmation from the voter that the voter has changed the voter's address to an address outside the county of registration or has registered to vote in another jurisdiction; or
- (6) Under §2-2-132 if the voter does not vote for four (4) successive calendar years, excluding the year of registration unless during that time the voter has maintained an active registration record by transferring or correcting the voter's registration.
- (b) It is the responsibility of the county election commission to implement an address verification program to identify any voter who has changed the voter's residence address without notifying the election commission. This address verification program shall conform with the intent of this act and the National Voter Registration Act of 1993. The county election commission shall complete the address verification process at least on a biennial basis, but may do so annually. The county election commission shall complete any such process not later than ninety (90) days before the regular August election.
- (c) If as a result of the address verification program, the county election commission determines that a voter has changed the voter's residence address, the registrar shall mail a forwardable, first-class confirmation notice to the registrant at the address of registration with a postage prepaid, pre-addressed return form on which the voter may verify or correct the new address information. The county election commission shall also follow this process if indications exist that the voter may no longer reside at the address at which the voter is registered, such as the voter's failure to vote, or otherwise update the voter's registration over a period of two (2) consecutive regular November elections.

- (d) Upon the mailing of a notice pursuant to subsection (c), the registrar shall take one (1) of the following steps as appropriate, regardless of whether the voter responds to the confirmation notice:
 - (1) If the new address is within the county of current registration, the voter's registration will be updated to reflect the new address of residence. If the new address is not in the county of current registration the registrar shall place the voter in an inactive status.
 - (2) If the voter returns the form and confirms the new address in another county, the registrar shall remove the voter's name from the voter registration rolls, and the registrar shall advise the voter how to register in the new county of residence.
 - (3) If a voter fails to respond to a confirmation notice and if the voter in fact does not have a new address, the voter may appear at the voter's polling place and vote in any election held between the time the notice was sent and the second regular November election held after the notice was sent. To vote, the voter shall make a written affirmation before the officer of elections at the voter's polling place that:
 - (A) The voter's residence address has not changed; and
 - (B) The voter is entitled to vote.
 - (4) If a voter fails to respond to a confirmation notice and if the voter has changed the voter's residence address to an address within the same county but in another precinct, the voter may correct the registration and vote in any election held between the time the notice was sent and the second regular November election held after the notice was sent. To vote, the voter shall make a written affirmation of the voter's new address on election day before either:
 - (A) The officer of elections at the voter's old polling place; or
 - (B) An election official at the county election commission office.
 - (5) Any person voting pursuant to (A) above shall be issued a paper ballot and shall be entitled to vote only for those offices on the ballot in the precinct in which the voter

resides. The officer of elections, in the presence of a judge of a different political party and the voter, shall mark through the races where the voter is not entitled to vote. The officer of elections and such judge shall initial each race marked through. The voter shall then proceed to vote as prescribed by §2-7-114.

- (6) A voter may go to the polling place established for the precinct in which the voter's new address is located during any election held between the time the notice was sent and the second regular November election held after the notice was sent and be permitted to reactivate the voter's registration record for future elections. To reactivate a registration record, the voter shall make a written affirmation of the new residence address before the officer of elections at the new precinct.
- (e) If the voter fails to respond to the confirmation notice, and if the voter fails to make the changes authorized in subsection (c) above, within the required time frame, the registrar shall purge the voter's registration.
- (f) Notwithstanding anything in this section to the contrary, the registrar shall send a voter's registration card by non-forwardable mail.
- (g) Voter registrations that are inactive pursuant to the provisions of this section shall not be included in a county's total of registered voters. The registrar shall maintain a separate total of voters on inactive status.
- (h) Any person who intentionally makes a false affirmation pursuant to this section violates $\S2-19-107$ and shall be punished as provided in $\S2-19-107$.
- (i) The county election commission shall not purge a voter for a failure to vote under this section between January 1, 1995, through May 1, 1996, in accordance with 42 U.S.C.A. §1973gg-6(a)(3) and (4) and (b)(2). Provided, however, if the provisions of 42 U.S.C.A. §1973gg-6(a)(3) and (4) and (b)(2) are repealed, the former state law concerning the purge of voter registrations for failure to vote shall be restored to full force and effect.
- SECTION 42. The commissioner of safety in accordance with Tennessee Code Annotated, Title 4, Chapter 5, and the coordinator of elections in accordance with Section 2-11-201(c), may promulgate rules and to effectuate the

provisions of this act.

SECTION 43. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming law, the public welfare requiring it. Sections 1-34 shall take effect May 1, 1994, the public welfare requiring it. Sections 35-40 shall take effect June 1, 1994, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 1995, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that **Senate Bill No. 2557** as amended, be passed on third and final consideration.

Ayes.													58
Noes.													36

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Johnson, Kernell, Kisber, Lewis, Love, McKee, Miller, Mires, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Jones R (Shelby), Joyce, Kent, Knight, Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Ramsey, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood --36.

Rep. Allen moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 2557 by deleting Sections 7 and 10 in their entirety and by renumbering subsequent sections accordingly.

Rep. Purcell moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Present	a	nd	no	t	V) t	ing) .								1
Noes.																36
Ayes																57

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kernell, Kisber, Lewis, Love, Miller, Mires, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Allen, Anderson, Bittle, Boyer, Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 36.

Representatives present and not voting were: Buck -- 1.

Rep. Severance moved the previous question, which motion prevailed by the following vote:

Ayes.													66
Noes.													25

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Dixon, Ferguson, Fisher, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kernell, Kisber, Lewis, Love, McKee, Miller, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 66.

Representatives voting no were: Allen, Bittle, Boyer, Coffey, Duer, Gunnels, Haley, Halteman Harwell, Hassell, Haun, Joyce, Kent, Liles, McAfee, McDaniel, Meyer, Ramsey, Shirley, Stamps, Stockburger, Venable, Westmoreland, Williams (Shelby), Williams (Union), Wood -- 25.

Senate Bill No. 2557, as amended, passed on third and final consideration by the following vote:

Ayes.													59
Noes.										٠			36

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Cole (Dyer), Collier, Crain, Cross, Davidson, DeBerry, Dixon, Ferguson, Fisher,

Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Jackson, Johnson, Jones R (Shelby), Kernell, Kisber, Knight, Lewis, Love, Miller, Mires, Napier, Odom, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 59.

Representatives voting no were: Allen, Anderson, Bittle, Boyer. Callicott, Chiles, Coffey, Cole (Carter), Davis, Duer, Gunnels, Haley, Hałteman Harwell, Hassell, Haun, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Peroulas Draper, Ramsey, Ritchie, Severance, Shirley, Stamps, Stockburger, Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Wood -- 36.

A motion to reconsider was tabled.

MOTION TO RESET BILLS

Rep. Purcell moved that the following remaining bills on the Regular Calendar be reset to the head of the Regular Calendar for Thursday, April 14, 1994: House Bill No. 1688; Senate Bills Nos. 2061 and 2683; House Bills Nos. 2380, 1247, 2276, 1644, 2581, 2444, 2616, 2285, 2303, 2680, 2546, 1734, 2648, 1231, 1035, 2812, 192, 1135; House Joint Resolutions Nos. 561 and 562, which motion prevailed.

Rep. Purcell moved that the following bills on the Message Calendar be reset to the head of the Message Calendar for Thursday, April 14, 1994: House Bill No. 691; Senate Bill No. 1681; House Bill No. 1704, 2174, 2558; Senate Bills Nos. 2611 and 2725, which motion prevailed. Additional bills placed on the Message Calendar, pursuant to Rule No. 59 as suspended, were: House Bills Nos. 97, 952, 2745, 2507 and Senate Bill No. 1871.

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the immediate introduction and passage on first consideration of the following: House Bill(s) No(s). 2931, 2932, 2933 and 2934, which motion prevailed.

House Bill No. 2931 -- Wilson County -- Authorizes Tenth Special School District to issue \$500,000 in capital outlay notes. Amends Chapter 330, Acts of 1901, as amended. by *Bell.

House Bill No. 2932 -- Sullivan County -- Establishes one clerk and master for chancery court. Amends Chapter 135, Private Acts of 1988.

House Bill No. 2933 -- Cleveland -- Changes date of general city election from August to November to coincide with regular national and state elections. Amends Chapter 78, Private Acts of 1933. by *Stockburger.

House Bill No. 2934 -- Algood -- Revises charter. Amends Chapter 69, Private Acts of 1977. by *Hargrove.

UNFINISHED BUSINESS

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 167: Rep(s). Allen and Herron as prime sponsor(s).

House Resolution No. 184: Rep(s). U. Jones and Winningham as prime sponsor(s).

House Joint Resolution No. 582: Rep(s). Moore as prime sponsor(s).

House Bill No. 691: Rep(s). Peroulas Draper as prime sponsor(s).

House Bill No. 2118: Rep(s). Bell as prime sponsor(s).

House Bill No. 2299: Rep(s). Dixon and Pruitt as prime sponsor(s).

House Bill No. 2370: Rep(s). Buck as prime sponsor(s).

House Bill No. 2648: Rep(s). Haley and Shirley as prime sponsor(s).

ENGROSSED BILLS April 13, 1994

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2906.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS April 13, 1994

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2042, 2841, 2905, 2907, 2909, 2915, 2916, 2917 and 2918; also, House Joint Resolution(s) No(s). 651, 654, 655, 656, 658, 659, 660, 661, 662, 664 and 665.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to transmit to the House, Senat Joint Resolution(s) No(s). 493; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk

Senate Joint Resolution No. 0493 -- Memorials, Retirement -- Clyde T. "Bob" Loftin. by *Atchley. *et al.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1871, as requested.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2745; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2879 and 2906; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2507; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House

Bill(s) No(s). 952; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 97; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1313, 1898 and 2772; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 618, 619, 620, 621, 622, 623, 625, 626, 627, 628, 629 and 631; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 517, 645, 646, 648, 649, 650, 651, 652, 653, 654, 655, 656, 658, 659, 660, 661, 662, 664 and 665; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2758; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Bill No. 2758 -- Telecommunications -- Requires providers of certain telecommunications services to receive certificate of convenience and necessity from PSC before furnishing such services. Amends TCA, Title 65, Chs. 4, 21. by *Cooper.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1832, 1861, 1889, 1957, 2006, 2020, 2021, 2256, 2420, 2581 and 2859; also, Senate Joint Resolution(s) No(s). 319, 320, 348, 399, 400, 401, 402, 403, 404, 408, 409, 410, 411, 412, 413, 414, 415, 427, 428, 449 and 450; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1764, 2093, 2114, 2220, 2269, 2306, 2508, 2555, 2569, 2590, 2634, 2657, 2773 and 2842; also, House Joint Resolution(s) No(s). 399, 586, 587, 589, 590, 591, 611, 612, 613, 614, 615, 616, 643 and 644; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE April 13, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 440, 442, 443, 444, 446, 447, 448, 451, 452, 453, 454, 455, 456, 457, 458, 459, 464, 465, 467, 468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491 and 492; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

*Senate Joint Resolution No. 0440 -- Naming and Designating -- "Spring Sports Fling Week," May 24-29, 1994 by *Crutchfield, *Albright.

Senate Joint Resolution No. 0442 -- Memorials, Retirement -- John Weems. by *Greer.

Senate Joint Resolution No. 0443 -- Memorials, Academic Achievement -- Mt. Juliet Youth Legislature. by *Rochelle.

Senate Joint Resolution No. 0444 -- Memorials, Personal Occasion -- Pat and Dorothy Widener, 50th anniversary. by *Greer.

Senate Joint Resolution No. 0446 -- Memorials, Public Service -- Tennessee State Museum on success of Anne Frank in the World exhibit. by *Cohen, *Kyle.

Senate Joint Resolution No. 0447 -- Memorials, Sports -- Jackson Central Merry High School girls' basketball team. by *McKnight.

Senate Joint Resolution No. 0448 -- Memorials, Sports -- Milan High School football team. by *McKnight.

Senate Joint Resolution No. 0451 -- Memorials, Public Service -- Northeast Tennessee SCORE Chapter 584 selected as "Chapter of the Year". by *Crowe.

Senate Joint Resolution No. 0452 -- Memorials, Sports -- Superintendent Ernest Rasar, TSSAA Hall of Fame. by *Crowe.

Senate Joint Resolution No. 0453 -- Memorials, Sports -- Hunter Jackson, Tennessee Sports Hall of Fame. by *Crowe.

Senate Joint Resolution No. 0454 -- Memorials, Sports -- 1993 Jackson Central-Merry High School football team. by *McKnight.

Senate Joint Resolution No. 0455 -- Memorials, Sports -- Gibson County High School boys' and girls' basketball teams. by *McKnight.

Senate Joint Resolution No. 0456 -- Memorials, Sports -- Hollow Rock-Bruceton Central High School football team. by *McKnight.

Senate Joint Resolution No. 0457 -- Memorials, Sports -- Milan High School boys' basketball team. by *McKnight.

Senate Joint Resolution No. 0458 -- Memorials, Death -- Irene Bailey Baker. by *Koella, *Gilbert, *Wilder, *Atchley, *Greer.

Senate Joint Resolution No. 0459 -- Memorials, Sports -- 1993-1994 Millington High School boys' basketball team. by *Leatherwood, *Kyle.

Senate Joint Resolution No. 0464 -- Memorials, Sports -- Bradford High School girls' basketball team. by *McKnight.

Senate Joint Resolution No. 0465 -- Memorials, Sports -- Peabody High School boys' basketball team. by *McKnight.

Senate Joint Resolution No. 0467 -- Memorials, Public Service -- Chief David Long Key. by *Wright.

Senate Joint Resolution No. 0468 -- Memorials, Public Service -- James A. Donoho. by *Rochelle.

Senate Joint Resolution No. 0469 -- Memorials, Retirement -- Howard H. Penuel. by *Womack.

Senate Joint Resolution No. 0470 -- Memorials, Retirement --

Cavit C. Cheshier. by *Haynes, *Henry, *Cohen, *Kyle.

Senate Joint Resolution No. 0471 -- Memorials, Sports -- West Carroll High School War Eagles football team. by *McKnight.

Senate Joint Resolution No. 0472 -- Memorials, Sports -- West Carroll High School War Eagles boys' basketball squad. by *McKnight.

Senate Joint Resolution No. 0474 -- Memorials, Sports -- 1993-1994 Hancock County girls' basketball team, TSSAA state tournament participant. by *Wallace.

Senate Joint Resolution No. 0475 -- Memorials, Death -- Joe James Blair, Loudon. by *Patten, *Gilbert.

Senate Joint Resolution No. 0476 -- Memorials, Interns -- Diane S. Lingerfelt. by *Crowe.

Senate Joint Resolution No. 0477 -- Memorials, Public Service -- Wilburn Frankfort "Jumbo" Little. by *Jordan.

Senate Joint Resolution No. 0478 -- Memorials, Recognition and Thanks -- Westminster School, 25th Anniversary, by *Haynes, *Henry.

Senate Joint Resolution No. 0479 -- Memorials, Retirement -- Fred A. Kelly, III. by *Wright.

Senate Joint Resolution No. 0480 -- Memorials, Professional Achievement -- Frank L. Greathouse, Tennessee Accounting Hall of Fame. by *Henry.

Senate Joint Resolution No. 0481 -- Memorials, Recognition and Thanks -- Johnny Thelbert Montgomery. by *Rochelle.

Senate Joint Resolution No. 0482 -- Memorials, Sports -- 1993-1994 South Side High School boys' basketball team. by *McKnight.

Senate Joint Resolution No. 0483 -- Memorials, Sports -- 1993-1994 South Side High School girls' basketball team. by *McKnight.

Senate Joint Resolution No. 0484 -- Memorials, Sports -- 1993-1994 North Side High School boys' basketball team. by *McKnight.

Senate Joint Resolution No. 0485 -- Memorials, Sports -- Jackson Central-Merry boys' basketball team. by *McKnight.

Senate Joint Resolution No. 0486 -- Memorials, Sports -- 1993 Humbolt High School football team. by *McKnight.

Senate Joint Resolution No. 0487 -- Memorials, Sports -- 1993-1994 Humboldt High School girls' basketball team. by *McKnight.

Senate Joint Resolution No. 0488 -- Memorials, Sports -- 1993-94 Humboldt High School boys' basketball team. by *McKnight.

Senate Joint Resolution No. 0489 -- Memorials, Recognition and Thanks -- Michelle Overton. by *Patten.

Senate Joint Resolution No. 0490 -- Memorials, Public Service -- Bob J. Dunavant. by *Kyle.

Senate Joint Resolution No. 0491 -- Memorials, Public Service -- Dr. Sidney G. Gilbreath, III. by *Kyle.

Senate Joint Resolution No. 0492 -- Memorials, Interns -- Lisa Lee. by *Womack.

CONSENT CALENDAR April 13, 1994

The following local bills have been placed on the Consent Calendar for Thursday, April 14, 1994: House Bill(s) No(s). 2845, 2856, 2911 and 2919.

The following Senate Joint Resolutions have been placed on the Consent Calendar for Thursday, April 14, 1994: Senate Joint Resolution(s) No(s). 442, 443, 444, 446, 447, 448, 451, 452, 453, 454, 455, 456, 457, 458, 459, 464, 465, 467, 468, 469, 470, 471, 472, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492 and 493.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 9:00~a.m., Thursday, April 14, 1994.